

DPS-255

May 26, 2005

UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT

C.A. No. **05-1812**

UNITED STATES of AMERICA

v.

JOSEPH VIGGIANO
(M.D. Pa. Crim. No. 00-cr-00338)
(Criminal treated as civil)

Present: ROTH, BARRY and SMITH, Circuit Judges

Submitted is Appellant's request for a certificate of appealability under
28 U.S.C. § 2253(c)(1);

in the above-captioned case.

Respectfully,
Clerk

MMW/JIB/as/rls

ORDER

The foregoing request for a certificate of appealability is denied because, for essentially the same reasons as those set forth by the District Court, the Appellant has not made a substantial showing of the denial of a constitutional right. See 28 U.S.C. § 2253(c)(2).

By the Court,

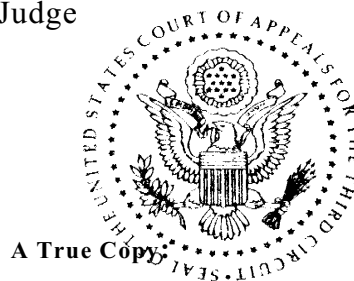
/s/ D. Brooks Smith

Circuit Judge

Dated: August 22, 2005

RLS/cc: JV

GADZ



Marcia M. Waldron

Marcia M. Waldron, Clerk